United Nations Convention on the Law of the Sea SPLOS/200

Meeting of States Parties

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Decision on adjustment of the remuneration of members of the International Tribunal for the Law of the Sea and their pension

The Meeting of States Parties,

Considering that, in respect of the level of remuneration of the members of the International Tribunal for the Law of the Sea ("the Tribunal"), the fourth Meeting of States Parties decided to maintain equivalence with the remuneration levels of members of the International Court of Justice,

Recalling that the fifteenth Meeting of States Parties, by the decision contained in document SPLOS/132, decided with retroactive effect from 1 June 2005 to increase the salary and pensions of the judges of the Tribunal as an interim measure, pending a decision by the States Parties based on a report by the Registrar, taking into account the report requested by the General Assembly in paragraph 8 of part III of its resolution 59/282 of 13 April 2005,

Considering also that the General Assembly, in its decision 62/547 of 3 April 2008, decided to set, effective 1 April 2008, the annual net base salary of the members of the International Court of Justice at 158,000 United States dollars, with a corresponding post adjustment multiplier equal to 1 per cent of the net base salary, to which would be applied the post adjustment multiplier for the Netherlands, as appropriate, taking into account the adjustment mechanism as proposed by the Secretary-General in paragraph 77 of his report A/62/538,

Considering further that, as provided for in paragraph 77 of the report of the Secretary-General A/62/538, the net base salary for judges of the International Court of Justice was further revised to $161,681 effective 1 January 2009 in line with the consolidation of 2.33 per cent multiplier points in the base salary scale for staff in the Professional and higher categories,

Considering that in paragraph 77 of the Secretary-General's report A/62/538, the Secretary-General proposed that "on the occasion of future revisions to the base scale applicable to staff in the Professional and higher categories that are effected through the consolidation of post adjustment multiplier points into the base scale with a corresponding readjustment in the post adjustment multipliers, the annual base salary of the members of the International Court of Justice ..." also be adjusted by the same percentage and at the same time,

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Considering also that the General Assembly, in its resolution 63/259 of 24 December 2008, endorsed, in respect of the pension for the members of the International Court of Justice, the conclusions and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in the Committee's report A/63/570,

1. *Decides* to set, effective 1 July 2009, the annual net base salary of the members of the Tribunal at $161,681, with a corresponding post adjustment multiplier equal to 1 per cent of the net base salary, to which would be applied the post adjustment multiplier for Hamburg, as appropriate, taking into account the adjustment mechanism as proposed by the Secretary-General in paragraph 77 of his report A/62/538;

2. *Also decides*, on the occasion of future revisions to the annual net base salary of members of the International Court of Justice, to consider that the annual base salary of the members of the Tribunal should also be adjusted by the same percentage and at the same time, bearing in mind the need to maintain the equivalence with the remuneration levels of the members of the International Court of Justice;

3. *Authorizes* the Tribunal to use part of the cash surplus from the 2007-2008 budget to finance an additional appropriation required to implement the new salary system for the members of the Tribunal referred to in paragraph 1 above for the period July 2009 to December 2010;

4. *Decides* that the retirement benefit of the members of the International Tribunal shall continue to be based on 50 per cent of the annual salary (excluding post adjustment) as defined in the Pension Scheme Regulations for the members of the Tribunal, or 50 per cent of the annual salary based on the level of remuneration decided by the fifteenth Meeting of States Parties in June 2005, whichever amount is higher, by reference to nine years of service;

5. *Also decides* that a member of the International Tribunal for the Law of the Sea who is re-elected should receive one three-hundredth of his or her retirement benefit for each further month beyond nine years, up to a maximum pension of two thirds of the annual net base salary, excluding post adjustment;

6. *Further decides* that the current pension in payment which has been determined on the basis of the maximum annual remuneration of $170,080 will continue to be based upon this amount;

7. *Requests* the International Tribunal for the Law of the Sea to make the necessary revisions to article 1, paragraph 2, of the Pension Scheme Regulations for members of the International Tribunal for the Law of the Sea;

8. *Requests* the Registrar to report to the Meeting of States Parties on action taken pursuant to the above decisions.